

## **REMARKS**

### ***Double Patenting***

In the Office Action mailed November 7, 2004, claims 1-4 and 10-12 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2, 9, 11 and 12 of copending Application No. 10/963,332.

In view of the availability of terminal disclaimer practice, applicants agree to file a terminal disclaimer upon indication of allowable subject matter.

### ***Statement of Common Ownership***

At the time the invention was made in the present application, Serial No. 10/791,391, all the inventors were employees of and under obligation to assign the rights of their inventions to Unilever Home and Personal Care USA, a Division of Conopco, Inc which also at the time of the invention owned the Patent Application 10/075,745 (Sorojini et al US Patent Application Publication 2003/0154562 A1).

Attached separately are copies of the assignments on file with the Office for the above applications.

### ***Claim Rejections – 35 USC § 103***

In the Office Action mailed November 7, 2005, claims 1-8, 10, 13, 16 and 18 were rejected under 35 USC 103(a) as being unpatentable over Sarojini et al (US2003/0154562 A1). Claims 11, 12 and 14-15 were rejected under 35 USC

103(a) as being unpatentable over Sarojini et al (US2003/0154562 A1) in view of Dias (US 6,540,791 B1).

In view of the above statement of *Common Ownership*, applicants respectfully request that Sarojini et al (US2003/0154562 A1) be disqualified as a prior art reference under 35 USC §103(c) and that the application be allowed to issue.

If a telephone conversation would be of assistance in advancing prosecution of the subject application, applicants' undersigned agent invites the Examiner to telephone him at the number provided.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael P. Aronson". The signature is fluid and cursive, with the first name "Michael" and last name "Aronson" clearly distinguishable.

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